United Nations CEDAW/C/OMN/CO/2-3

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined second and third periodic reports of Oman*

1. The Committee considered the combined second and third periodic reports of Oman (CEDAW/C/OMN/2-3) at its 1548th and 1549th meetings (see CEDAW/C/SR.1548 and CEDAW/C/SR.1549), held on 3 November 2017. The Committee's list of issues and questions is contained in CEDAW/C/OMN/Q/2-3 and the responses of Oman are contained in CEDAW/C/OMN/Q/2-3/Add.1.

A. Introduction

2. The Committee appreciates the submission by the State party of its combined second and third periodic reports. It also appreciates the State party's follow-up report (CEDAW/C/OMN/CO/1/Add.1) and its written replies to the list of issues and questions raised by the pre-sessional working group, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister of Social Development, Sheikh Mohammed bin Said bin Saif al-Kalbani, and included the Permanent Representative of Oman to the United Nations Office and other international organizations in Geneva, Abdulla Nasser Al Rahbi, as well as representatives of the Ministry of Social Development, the Ministry of Legal Affairs, the Ministry of Education, the Ministry of Health, the Ministry of Agriculture and Fisheries, the Administrative Judicial Council of the Supreme Court, the Public Prosecution, the General Federation of Oman Trade Unions and the Permanent Mission of Oman to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since its consideration in 2011 of the State party's initial report (CEDAW/C/OMN/1) in undertaking legislative reforms, in particular the adoption of the following:

* Adopted by the Committee at its sixty-eighth session (23 October–17 November 2017).

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(a) Child Law, in 2014, prohibiting gender-based discrimination against children and criminalizing harmful traditional practices;

(b) Royal Decree No. 78/2013, in 2013, providing for the principle of equal pay for work of equal value in the civil service;

(c) Civil Transactions Law, in 2013, granting women legal capacity equal to that of men in respect of all civil transactions, including bank loans and real estate mortgages.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or creation of the following:

(a) Social action strategy of the Ministry of Social Development and its executive plan (2016–2025), in 2016, which are focused on changing gender stereotypes and providing an environment that affirms the pivotal economic role of women in the family and in society and the participation of women in decision-making positions;

(b) National agricultural development strategy (2015–2040) and its first action plan (2015–2019), in 2015, which prioritize the establishment of non-governmental agricultural organizations for rural women with a view to promoting their economic empowerment;

(c) Family Protection Department, in 2012, which formulates protection plans and receives complaints about gender-based violence against women.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international and regional instruments:

(a) Arab Convention against Transnational Organized Crime, in 2015;

(b) United Nations Convention against Corruption, in 2014.

7. The Committee notes with satisfaction the commitment of the State party to implementing the Sustainable Development Goals and to establishing a new mechanism to reach these goals. The Committee recalls the importance of Goal 5, on achieving gender equality and empowering all women and girls, and commends the State party on its positive efforts to implement sustainable development policies, including measures to address climate change.

C. Parliament

8. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the Consultative Council and the Council of State, in line with their mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.**

D. Principal areas of concern and recommendations

Withdrawal of reservations

9. The Committee notes with appreciation that Sultan Qaboos Bin Said approved the recommendation of the Council of Ministers to withdraw the reservation of the State party to article 15 (4) of the Convention. Nevertheless, it remains concerned about the State party's reluctance to withdraw its general reservation to "all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman", as well as its reservations to articles 9 (2) and 16 (1) (a), (c) and (f), which constitute an obstacle to the implementation of the Convention as a whole. The Committee notes that the State party's legislation is derived from Islamic law with no regard to sectarianism, and appreciates the recognition by the State party that diversity of opinions and juristic concepts exist within the Muslim legal tradition to enable legislative reform and address discriminatory provisions.

10. **The Committee reminds the State party that its general reservation and reservation to article 16 are incompatible with the object and purpose of the Convention and are thus impermissible under article 28 of the Convention (see the statement by the Committee on reservations, adopted at its nineteenth session, in 1998). The Committee recommends that the State party:**

(a) **Complete the steps for the withdrawal of its reservation to article 15 (4) of the Convention;**

(b) **Review its general reservation, as well as its reservations to articles 9 (2) and 16 (1) (a), (c) and (f) of the Convention, with a view to their withdrawal within an established time frame and with the full participation of women's groups from civil society;**

(c) **Intensify its efforts, in discussing with leaders of religious communities and religious scholars, taking into consideration best practices of countries with similar cultural backgrounds and legal systems and in countries members of the Organization of Islamic Cooperation, to overcome resistance to the withdrawal of such reservations, and take into consideration best practices developed in other Muslim contexts that reconcile Islam and women's rights and recognize equality in marriage and family life.**

Constitutional and legislative framework

11. The Committee notes that article 17 of the Basic Law of the State (Constitution) prohibits discrimination against citizens on the basis of sex. It remains concerned, nevertheless, that the constitutional definition of discrimination applies only to citizens and is still not in line with article 1 of the Convention, which prohibits direct and indirect discrimination in the public and private spheres. The Committee is also concerned about the persistence of discriminatory provisions in the State party's legislation, in particular the Penal Code, the Personal Status Law, the Arbitration and Reconciliation Law, the Nationality Law and the Social Security Law.

12. **The Committee recommends that the State party amend its Constitution and/or adopt and effectively implement comprehensive anti-discrimination legislation that includes a definition of discrimination against women and encompasses both direct and indirect discrimination in the public and private spheres and in all areas covered by the Convention, in line with article 1 of the**

Convention. It also recommends that the State party expedite a comprehensive review of its legislation to ensure compatibility with the provisions of the Convention.

Access to justice

13. The Committee notes the various complaint mechanisms accessible to women who are victims of discrimination or violence, including the Oman Human Rights Commission and the Family Protection Department within the Ministry of Social Development. It further notes the adoption of Ministerial Decision No. 91/2009, which regulates the provision of legal aid for indigent persons, as well as the legal literacy programmes undertaken by the State party. The Committee is concerned, however, about persisting barriers to women's access to justice, in particular:

(a) Women's limited knowledge of their rights and existing complaint mechanisms;

(b) Language barriers faced by women wishing to claim their rights, in particular migrant women;

(c) The lack of adequate legal aid services;

(d) The lack of knowledge and sensitivity with regard to women's rights on the part of law enforcement officials and legal practitioners.

14. **The Committee, in line with its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:**

(a) **Enhance women's awareness of their rights and their means of enforcing them, placing particular emphasis on the integration of education on women's rights and gender equality into curricula at all levels, including legal literacy programmes;**

(b) **Institutionalize systems of legal aid that are accessible, sustainable and responsive to the needs of women and ensure that such services are provided in a timely, continuous and effective manner at all stages of judicial or quasi-judicial proceedings, including alternative dispute resolution mechanisms;**

(c) **Take immediate steps, including capacity-building and training programmes on the Convention and women's rights, for justice system personnel, eliminate gender stereotyping and ensure that sharia court chambers harmonize their norms, procedures and practices with the Convention and other international human rights obligations.**

National machinery for the advancement of women

15. The Committee notes the adoption of Ministerial Decree No. 146/2012 and Ministerial Decree No. 300/2012, which redefined the role and functions of the National Commission for Family Affairs as a supervisory and coordinating body concerned with policymaking for the family, women and children. It also notes the completion of a national strategy for women entitled "Enhancing the quality of life" and the establishment of a steering committee to monitor its implementation. The Committee is concerned, however, about the lack of information on the legal framework defining the mandate and authority of the Commission and regulating its relations with relevant ministries and various women's institutions; the human, technical and financial resources allocated from the national budget for its functioning; and its presence at the governorate and local levels. The Committee is

also concerned about the fact that the national strategy for women has not yet been adopted, despite having been completed in 2014.

16. **The Committee recommends that the State party:**

(a) **Provide detailed information on the mandate, status and authority of the National Commission for Family Affairs and its relationship with relevant ministries and women's non-governmental organizations to promote gender mainstreaming throughout all government bodies and participatory planning for the advancement of women; on the human, technical and financial resources allocated from the national budget to the Commission; and on the presence of the Commission at the governorate and local levels in order to enable the Committee to assess the effectiveness of the Commission as the national machinery for the advancement of women;**

(b) **Expedite the adoption of the national strategy for women entitled "Enhancing the quality of life", as well as a plan of action that clearly defines the competence of the steering committee and national and local authorities regarding its implementation and that is supported by a comprehensive data collection and monitoring system.**

National human rights institution

17. The Committee notes that the National Human Rights Commission, which was established in 2008, monitors and receives complaints from women, including working women, about human rights violations. The Committee is concerned, however, that the Commission was accredited with "B" status by the Global Alliance of National Human Rights Institutions in 2014, essentially owing to its limited independence and lack of a strong mandate.

18. **The Committee recommends that the State party take the steps necessary to bring the National Human Rights Commission fully into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), taking into consideration the recommendations of the Global Alliance of National Human Rights Institutions, and ensure that the Commission has a specific mandate on women's rights and gender equality.**

Non-governmental organizations and women human rights defenders

19. The Committee notes the increase in the number and geographical spread of Omani women's associations throughout the governorates of the State party. It remains concerned, however, about:

(a) The absence of a robust civil society in the State party, as reflected by the lack of alternative reports received by the Committee from national non-governmental organizations on the implementation of the Convention;

(b) The lack of information on the legal requirements for the registration and operation of non-governmental organizations in the State party;

(c) The fact that women human rights defenders and their relatives have allegedly been subjected to various forms of harassment, violence and intimidation.

20. **The Committee recommends that the State party:**

(a) **Continue to consult and expand its dialogue with civil society organizations and women human rights defenders;**

(b) **Adopt specific measures, including by amending the Civil Associations Law (2000), to create and ensure an enabling environment in which civil society organizations and women's rights groups may be established and may freely conduct their activities;**

(c) **Refrain from any reprisals against women human rights defenders and their relatives.**

Stereotypes and harmful practices

21. The Committee notes the State party's efforts to address discriminatory gender stereotypes on the role and responsibilities of women and men in society and in the family, including by revising school curricula, textbooks and visual representations of situations of daily life and by raising awareness through information programmes. It remains concerned, however, that the State party retains discriminatory stereotypes, focusing primarily on the roles of women as mothers and housewives. The Committee is also concerned about discriminatory provisions in the State party's legislation that underscore the subordination of women to their husbands and other male relatives and undermine the rights and capacity of women and girls to develop their personal abilities and make free choices about their lives and life plans.

22. **The Committee recommends that the State party:**

(a) **Put in place, without delay, a comprehensive strategy to modify or eliminate patriarchal attitudes and stereotypes that discriminate against women, which should include efforts, in collaboration with civil society and community and religious leaders, to educate and raise awareness with regard to the equal roles and responsibilities of women and men in the family and in society;**

(b) **Accelerate its efforts to launch information campaigns with the media to strengthen understanding of substantive gender equality, and continue to eliminate discriminatory stereotypes through the education system to enhance a positive and non-stereotypical portrayal of women.**

23. The Committee welcomes the prohibition of harmful traditional practices and the penalties for those promoting or assisting in such practices, in accordance with article 20 of the Child Law (2014). It also takes note of the information that the State party intends to enact implementing regulations on female genital mutilation under the Child Law. The Committee further welcomes the fact that article 7 of the Personal Status Law sets the minimum age for marriage at 18 years for both boys and girls, that early marriage has been on the decline and that the average age for marriage has increased. Nevertheless, the Committee is concerned that female genital mutilation is not specifically criminalized and continues to be practised widely in the State party, and that the practice of child marriage persists owing to the use by judges of derogations from the legal minimum age of marriage of 18 years, especially in rural areas.

24. **In the light of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, the Committee recommends that the State party:**

(a) **Undertake a national study on the prevalence of harmful practices and continue to take measures to eliminate all harmful practices in the State party, including female genital mutilation and child and/or forced marriage, especially in rural areas;**

(b) **Adopt and implement the draft regulations on female genital mutilation under the Child Law and develop awareness-raising programmes targeting in particular parents, teachers, religious and community leaders and health and education professionals, in order to eliminate this harmful practice;**

(c) **Enforce the legal minimum age of marriage of 18 years and undertake comprehensive awareness-raising programmes, including media campaigns, on the negative consequences of child and/or forced marriage for girls, targeting in particular parents, teachers and community leaders;**

(d) **Establish appropriate redress mechanisms accessible to all women and girls who are victims of harmful practices and ensure that perpetrators are prosecuted and adequately punished;**

(e) **Strengthen support measures, such as shelters, counselling and rehabilitation services, for victims of harmful practices and provide gender-sensitive training for the judiciary, law enforcement officers and health professionals.**

Gender-based violence against women

25. The Committee notes the provisions of the Penal Code criminalizing rape as well as physical forms of violence, including beating, harming and wounding, in addition to article 37 of the Personal Status Law, which stipulates that women must be shielded from physical or mental abuse by their spouse. It remains concerned, however, about:

(a) The prevalence in the State party of gender-based violence against women, in particular domestic and sexual violence, and the fact that this remains largely underreported and undocumented;

(b) The absence of specific legislation to eliminate all forms of gender-based violence against women, including a definition of such violence;

(c) The persistence of crimes committed in the name of so-called "honour", despite the repeal of article 252 of the Penal Code, under which a man who killed or injured his wife, mother, sister or daughter after having caught her committing a dishonourable act may receive a reduced penalty or may be exempted from punishment;

(d) The low prosecution and conviction rates and the lenient penalties imposed on perpetrators of gender-based violence against women;

(e) The frequent recourse to reconciliation in cases of domestic violence;

(f) The lack of shelters and support services for women who are victims of gender-based violence, especially in rural areas, which reportedly prevents many women from leaving their violent partners;

(g) The lack of statistical data on gender-based violence against women, including domestic violence, that are disaggregated by age, sex, nationality and relationship between the victim and the perpetrator, as well as on the number of investigations, prosecutions and convictions, the sentences imposed on perpetrators and reparation provided to victims.

26. **Recalling its general recommendation No. 19 (1992) on violence against women and general recommendation No. 35 (2017) on gender-based violence**

against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) Enhance its efforts to combat all forms of gender-based violence against women, including domestic and sexual violence;

(b) Enact legislation and/or further amend the Penal Code to specifically define and criminalize all forms of gender-based violence against women;

(c) Ensure that perpetrators of crimes committed in the name of so-called "honour" are prosecuted and punished adequately without benefiting from any mitigating or exculpatory provisions;

(d) Encourage women who are victims of gender-based violence to report their cases, including by destigmatizing victims, and provide capacity-building programmes for judges, prosecutors, police officers and other law enforcement officials and mediators dealing with cases where domestic violence is deemed to constitute a minor offence on the strict application of relevant criminal law provisions and on how to investigate such cases in a gender-sensitive manner;

(e) Ensure that reports of gender-based violence against women, including domestic violence, are duly investigated and prosecuted, that perpetrators are adequately punished and that victims have access to appropriate redress, including compensation;

(f) Strengthen support services for women who are victims of gender-based violence, including by establishing shelters throughout the State party and ensuring the availability of psychosocial rehabilitation and reintegration programmes;

(g) Systematically collect data on all forms of gender-based violence against women, disaggregated by sex, age, nationality and the relationship between the victim and the perpetrator, as well as on the number of investigations, prosecutions and convictions and on the sentences imposed on perpetrators and on reparation provided to victims.

27. The Committee is concerned that women and girls who are victims of sexual abuse risk facing criminal proceedings if they press charges, since the reporting of rape, if not proved, can be considered a confession of sexual relations outside of marriage (*zina*), which is criminalized under articles 225 and 226 of the Penal Code.

28. **The Committee recommends that the State party repeal articles 225 and 226 of the Penal Code to ensure that victims of sexual abuse are not punished if they press charges that cannot be proved, and immediately release women and girls who have been convicted of *zina* offences, especially migrant women who are victims of sexual violence and abuse.**

Trafficking and exploitation of prostitution

29. The Committee notes the efforts made by the State party to combat trafficking in persons, including the issuance of decrees to protect domestic workers from exploitation or trafficking and the provision of a temporary shelter, social and psychological programmes and legal aid to victims. It is concerned, however, that the State party remains a destination and transit country for women trafficked predominantly from South and East Asia and East and North Africa for the purposes of forced labour, domestic servitude and, to a lesser extent, sexual exploitation. The Committee is furthermore concerned about:

(a) The limited enforcement of the Anti-Trafficking Law (2008), as reflected by the low prosecution and conviction rates in cases of trafficking in women and girls;

(b) The fact that the national action plan to combat trafficking (2008–2016) has not yet been renewed;

(c) The lack of information on the resources allocated to the National Committee for Combating Human Trafficking and on its capacity to coordinate and monitor the action of the Government in combating trafficking;

(d) The lack of adequate mechanisms to identify and refer victims of trafficking and victims of exploitation of prostitution who have reportedly been arrested, detained and deported for acts committed as a consequence of having been trafficked;

(e) The lack of systematically organized rehabilitation and reintegration measures, including access to counselling, medical treatment, psychological support and redress, including compensation, for victims of trafficking, in particular with regard to migrant women and women domestic workers.

30. **The Committee recommends that the State party:**

(a) **Ensure the effective enforcement of the Anti-Trafficking Law (2008), including by providing mandatory gender-sensitive training to judges, prosecutors, border police, the immigration authorities and other law enforcement officials on its gender-sensitive application;**

(b) **Assess the impact of the national action plan to combat trafficking (2008–2016) and adopt a new strategy and action plan;**

(c) **Investigate, prosecute and adequately punish all cases of trafficking in persons, especially women and girls, and carry out joint investigations and cooperate with other countries and international bodies with respect to international and regional trafficking networks;**

(d) **Strengthen the capacity of the National Committee for Combating Human Trafficking, including by providing adequate human, technical and financial resources, to ensure inter-agency coordination between government entities to combat trafficking and enhance its cooperation with civil society;**

(e) **Strengthen measures to identify and provide support to women at risk of trafficking;**

(f) **Ensure that women who are victims of trafficking and exploitation of prostitution are exempted from any liability and provided with adequate protection and temporary residence permits, irrespective of their ability or willingness to cooperate with the prosecutorial authorities;**

(g) **Ensure that all victims of trafficking, irrespective of their national or social background, obtain effective protection and redress, including rehabilitation and compensation;**

(h) **Strengthen the regulation of labour recruitment agencies and employment of foreign workers and review the de facto *kafalah* system, which often operates against vulnerable migrant workers, including women;**

(i) **Address the root causes of trafficking and exploitation of women and girls in prostitution by adopting and implementing adequately resourced programmes and other appropriate measures to create educational and**

employment opportunities for women, in particular migrant workers, who are at risk of being trafficked or exploited in prostitution.

Participation in political and public life

31. The Committee notes the various awareness-raising and training initiatives to promote the participation of women in political and public life. It is concerned, however, about the very low participation of women at all levels of decision-making, including within the Government (6.3 per cent), the Consultative Council (1.2 per cent), the Council of State (15.3 per cent, upon appointment by the Sultan), municipal councils (3.5 per cent), the judiciary (25 per cent) and the diplomatic service (7.2 per cent of ambassadors), and the lack of specific steps to address the underlying causes, including prevailing social and cultural attitudes.

32. **In line with its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party adopt measures, including temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, such as quotas and benchmarks with specific time frames, in order to achieve the equal and full participation of women in political and public life and in decision-making at the local and national levels, including in the parliament, the judiciary and the diplomatic service. It also recommends that the State party implement awareness-raising campaigns for society as a whole about the importance of the participation of women, including women belonging to disadvantaged or marginalized groups, in decision-making and offer financial support and further training and mentoring programmes on leadership and negotiation skills for current and future women leaders.**

Nationality

33. The Committee notes the new Nationality Law (2014), which confers Omani nationality on children born out of wedlock to unidentified parents and those born to an Omani mother and a foreign father who is either unknown or stateless. It also notes the decision taken by the State party to grant children of Omani mothers and foreign fathers some "privileges" in areas such as education and health. The Committee remains concerned, however, about:

(a) The strict conditions placed under article 18 of the new law on an Omani mother married to a foreigner who wishes to transmit her nationality to her children, as well as the discriminatory provisions with regard to the naturalization of foreign spouses of Omani women, who are currently required to be married for at least 15 years in order to obtain Omani citizenship, while a foreign wife requires only 10 years of marriage;

(b) The fact that the State party may revoke the citizenship of Omanis if they engage in a group, a party or an organization that adopts principles or doctrines that can harm its interests.

34. **The Committee recommends that the State party:**

(a) **Amend the Nationality Law while taking into consideration practices of other States parties with similar cultural backgrounds and legal systems that have successfully amended their nationality laws, to ensure equality between women and men with regard to the acquisition, change and retention of nationality and to enable Omani women to transmit their nationality to their foreign spouses and their children on an equal basis with men;**

(b) **Ensure that the Government cannot revoke citizenship rights of women and men who exercise their fundamental rights, including the right to freedom of expression, assembly and association, with a view to preventing statelessness;**

(c) **Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.**

Education

35. The Committee notes with appreciation that article 36 of the Child Law provides for free and compulsory education in government schools until the completion of post-basic education. It also notes with appreciation the high rates of enrolment of girls at all levels of education, as well as the measures taken to reduce school dropout and illiteracy rates among girls and boys and to provide career counselling and training programmes. The Committee is concerned, however, that:

(a) Access to education for disadvantaged groups of girls, especially nomadic girls, migrant girls, girls with disabilities and girls living in rural areas and in situations of poverty, remains limited, and that illiteracy and school dropout rates are still high among those girls;

(b) Age-appropriate education on sexual and reproductive health and rights has not been included in school curricula;

(c) Traditional images of women's roles and responsibilities in school textbooks perpetuate the disadvantaged status of girls and women;

(d) Teachers lack training on women's rights and gender equality, and career guidance encouraging women and girls to choose non-traditional career paths is limited, in particular in the fields of science and technology;

(e) The number of women and girls in vocational training remains limited.

36. **In line with article 10 of the Convention, the Committee draws attention to target 4.1 of the Sustainable Development Goals and recommends that the State party ensure that all girls and boys complete free, equitable and high-quality primary and secondary education that leads to effective outcomes. The Committee recommends that the State party:**

(a) **Continue to improve the accessibility and quality of education for all children, in particular disadvantaged groups of girls, and address the disproportionately high illiteracy and dropout rates among those girls, including by ensuring that pregnant girls and young women and mothers are reintegrated into and supported in continuing their school education;**

(b) **Ensure that mandatory, age-appropriate sexual and reproductive health education is integrated into school curricula, paying special attention to the prevention of early pregnancy and sexually transmitted infections, including HIV, as well as sexual violence;**

(c) **Review curricula and textbooks at all levels of education to eliminate discriminatory stereotypes on the roles of women, and enhance training for teachers on women's rights and gender equality, with a view to changing existing stereotypes on the roles of women and men in the family and in society;**

(d) **Give priority to eliminating traditional stereotypes and structural barriers that may deter girls from enrolling in traditionally male-dominated**

fields of study, such as science and technology, and step up efforts to provide girls with career counselling on non-traditional career paths and non-stereotypical fields of study that correspond to market demands;

(e) **Continue to promote vocational training for women and girls and encourage them to take part in such training.**

Employment

37. The Committee notes with appreciation that the Labour Law (2003) affirms the prohibition of sex discrimination and prevents an employer from dismissing a female worker on the basis of maternity. It also notes with appreciation that female labour force participation has increased from 17 per cent in 1990 to 30 per cent in 2016 and to 47 per cent in the civil service. The Committee is concerned, however, about:

(a) The insufficient measures to promote the concept of shared family responsibilities and to combat the difficulties that women face in combining work and family responsibilities;

(b) The low participation of women compared with men with regard to employment in the private sector;

(c) The restrictions imposed on women's employment under the Labour Law, which prohibits the employment of women between 9 p.m. and 6 a.m. (except in exceptional circumstances), as well as in harmful and particularly difficult jobs;

(d) Discriminatory vacancy announcements;

(e) Continuing horizontal and vertical occupational segregation and the concentration of women in low-paid jobs;

(f) The persistent gender wage gap in both the public and the private sectors.

38. **The Committee recommends that the State party:**

(a) **Promote the equal sharing of family and domestic responsibilities between women and men, including by introducing compulsory paternity or shared parental leave following childbirth and by providing more and improved childcare facilities;**

(b) **Take measures, including temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25, such as creating incentives for employers to recruit women, introducing flexible working arrangements and strengthening professional training for women, in order to enhance women's access to the formal labour market;**

(c) **Amend the Labour Law in order to lift the restrictions imposed on women's employment;**

(d) **Review vacancy announcements in the public and private sectors with a view to eliminating discriminatory language;**

(e) **Adopt effective measures, including skills training, and incentives with a view to encouraging women to work in non-traditional fields and eliminating occupational segregation, both horizontal and vertical, in the public and private sectors;**

(f) **Effectively implement Royal Decree No. 78/2013 in order to narrow and ultimately close the gender wage gap, including by applying gender-sensitive analytical job classification and evaluation methods and regular pay surveys.**

Women migrant domestic workers

39. The Committee notes with appreciation the measures adopted by the State party to protect the rights of women migrant domestic workers, such as the issuance of a unified standard contract, the initiation of public awareness-raising campaigns to inform migrant domestic workers of their rights, the adoption of a law criminalizing trafficking in persons and a circular prohibiting the confiscation of passports, and the establishment of a hotline for victims of abuse and exploitation. It also notes the information given by the delegation of the State party that foreign women working as domestic workers may change employers. The Committee is concerned, however, about:

(a) The fact that these measures have proved insufficient to ensure respect for the human rights of women migrant domestic workers, as evidenced by their exposure to economic and physical abuse and exploitation and the persistence of practices such as the confiscation of passports by employers and the apparent persistence of the de facto *kafalah* system, which further increase their risk of exploitation and make it difficult for them to change employers, even in cases of abuse;

(b) The limited protection provided by Ministerial Decree No. 1/2011 concerning the issuance of regulations on the recruitment of non-Omani workers, the exclusion of domestic workers from the ambit of the Labour Law and, therefore, from access to the labour courts, and the fact that domestic workers still may not change their employer without risking facing charges of "absconding";

(c) The fact that forced labour is not criminalized under the Penal Code and is prohibited only under the Labour Law, which does not apply to domestic workers;

(d) Obstacles affecting access to justice for women migrant domestic workers, including fear of expulsion and insecurity of residence while legal proceedings are pending;

(e) The lack of regular labour inspections to monitor the working conditions of women migrant workers in their workplaces;

(f) The absence of an enforcement mechanism for work contracts of women migrant domestic workers;

(g) The lack of shelters for women who are victims of abuse and exploitation.

40. **The Committee, in line with its general recommendation No. 26 (2008) on women migrant workers, recommends that the State party:**

(a) **Continue to raise awareness among women migrant domestic workers of their rights under the Convention and monitor the activities of employment agencies, including by establishing an enforcement mechanism to ensure that the same contracts are used in the State party and in workers' countries of origin;**

(b) **Extend the application of the Labour Law to domestic workers and adopt a specific law regulating domestic employment, with adequate sanctions for employers engaging in abusive practices;**

(c) **Enforce the right of domestic workers to change employers legally and prevent abuse from current employers in this regard, and ensure that women migrant domestic workers have effective access to justice, including by guaranteeing their safety and residence while legal proceedings are pending;**

(d) **Amend the Penal Code in order to criminalize forced labour;**

(e) **Strictly enforce the prohibition of passport confiscation and ensure regular labour inspections at the workplaces and dormitories of women migrant workers;**

(f) **Provide a sufficient number of shelters for victims of abuse and exploitation and ensure that they cover the entire territory of the State party;**

(g) **Protect the rights of women migrant domestic workers, including by encouraging the establishment of a domestic workers' union;**

(h) **Ratify the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.**

Health

41. The Committee notes with satisfaction that health indicators for women have improved significantly, particularly in terms of life expectancy, maternal mortality, health-care coverage for pregnant women, births under medical supervision and HIV examination during pregnancy. The Committee is concerned, however, about:

(a) The limited access for women and adolescent girls to sexual and reproductive health services in rural and remote areas of the State party;

(b) The criminalization of abortion, except when the life of the pregnant woman or girl is at risk, and the fact that it compels women, in particular those living in rural areas, to resort to unsafe abortions;

(c) The limited access to modern contraceptives, especially in rural areas.

42. **The Committee, in line with its general recommendation No. 24 (1999) on women and health, recommends that the State party:**

(a) **Provide comprehensive health services, in particular sexual and reproductive health services, including antenatal, delivery and postnatal services, in all governorates;**

(b) **Amend the Penal Code to legalize abortion in cases where the life and/or health of the pregnant woman or girl is at risk and in cases of rape, incest and severe impairment of the foetus, and decriminalize it in all other cases and increase women's access to safe abortion and to post-abortion care services;**

(c) **Ensure the availability and accessibility of modern forms of contraception and reproductive health services to all women and adolescent girls in the State party;**

(d) **Assess the financial burden on the health-care system of providing medical treatment for victims of harmful practices, including female genital mutilation.**

Economic and social benefits

43. The Committee welcomes the adoption of Royal Decree No. 29/2013, which grants women legal capacity equal to that of men in respect of all civil transactions, as well as the measures to promote women's entrepreneurship. It also notes that a department of women's sport has been established in the Ministry of Sports Affairs. Nevertheless, it is concerned about:

(a) The fact that women receive only around 29 per cent of subsidized loans;

(b) The lack of information on the coverage of social programmes, including social protection schemes and pension benefits, for women living in poverty, migrant women, nomadic women, rural women and women with disabilities;

(c) The lack of information on whether women's organizations are involved in designing and implementing national strategies to achieve the Sustainable Development Goals.

44. **The Committee recommends that the State party:**

(a) **Ensure the effective implementation of Royal Decree No. 29/2013 and allocate additional earmarked financial resources for increasing access to microcredit, loans and other forms of financial credit for women in order to promote women's entrepreneurship and empower them economically, in particular with regard to women living in poverty, migrant women, nomadic women, rural women and women with disabilities, and provide capacity-building for women aimed at improving their managerial skills;**

(b) **Ensure that women's organizations participate in planning and implementing national strategies to achieve the Sustainable Development Goals.**

Rural women

45. The Committee notes with appreciation the various initiatives in support of rural women, including training courses and development projects. It remains concerned, however, about:

(a) The disadvantaged position of women in rural and remote areas who face poverty, difficulties in gaining access to health care, education and income-generating activities and a lack of participation in decision-making processes at the community level;

(b) The prevalence of discriminatory practices that prevent rural women from inheriting or acquiring ownership of agricultural land and other property.

46. **The Committee, in line with its general recommendation No. 34 (2016) on the rights of rural women, recommends that the State party:**

(a) **Develop and implement measures, including temporary special measures, to accelerate the achievement of substantive equality for rural women in all areas in which they are underrepresented or disadvantaged, including political and public life, education, health and employment, put in place programmes to reduce the engagement of rural girls in unpaid care work, which constitutes a barrier to school attendance, and continue to design and implement targeted measures to create income-generating opportunities for rural women in their localities;**

(b) **Address negative traditional practices that affect the full enjoyment of rural women's right to agricultural land and other property, and launch awareness-raising campaigns on their legal right to ownership and inheritance.**

Gender and climate change

47. The Committee commends the State party for the adoption of its climate action plan, but requires additional information on how women participated in the development of the plan and how a gender perspective was applied in the identification of adaptation and mitigation measures.

48. **The Committee recommends that the State party provide, in its next periodic report, information on:**

(a) **The participation of women in the development and implementation of the plan;**

(b) **Best practices in adaptation and mitigation measures identified from a gender perspective.**

Women with disabilities

49. The Committee notes the formulation of a sectoral strategy on "persons with special needs" and the various measures taken to promote the rights of persons with disabilities, including women. However, the Committee is concerned about:

(a) The discrimination faced by women and girls with disabilities in gaining access to education, employment and health care, and their exclusion from public and social life and from decision-making processes;

(b) The very low quotas to promote the inclusion of persons with disabilities in the open labour market.

50. **The Committee recommends that the State party:**

(a) **Adopt targeted measures to promote access for women with disabilities to inclusive education, the open labour market, health care, including with regard to sexual and reproductive health and rights, public and social life and decision-making processes;**

(b) **Increase and effectively implement quotas in public and private companies to promote the inclusion of persons with disabilities, in particular women, in the open labour market;**

(c) **Implement awareness-raising campaigns and provide capacity-building for State officials on the rights and special needs of women and girls with disabilities.**

Equality before the law and civil matters

51. The Committee welcomes the decision of the State party to withdraw its reservation to article 15 (4) of the Convention. It is concerned, however, about information according to which women are still required to have the permission of their father, husband or male guardian to obtain a passport and travel outside the country, notwithstanding the adoption of Royal Decree No. 11/2010 amending the Passport Law to entitle a woman to obtain a passport without seeking her guardian's consent. It is also concerned about the fact that the blood money (*diya*) paid for a woman is still half of that paid for a man.

52. **The Committee recommends that the State party take all measures necessary to ensure the effective implementation of Royal Decree No. 11/2010 to guarantee that women are entitled to obtain a passport without seeking their guardian's consent. It also recommends that the State party issue a decree amending the Penal Code and the legal provisions on *diya* and *arush* to ensure that they do not discriminate against women.**

Marriage and family relations

53. The Committee remains concerned about:

(a) The use of the sharia as an explanation for the lack of progress on family law reform and the continued application of discriminatory provisions in the Personal Status Law, in particular the requirement for a woman to obtain her guardian's permission to marry, notwithstanding the possibility to appeal to the sharia court chamber in the Supreme Court or directly to the Sultan if her guardian refuses to grant her permission, the continued practice of dowry, the obligation imposed on a woman to obey her husband, including sexually, the maintenance of polygamy and the limited grounds available to women to seek divorce when men may unilaterally ask for divorce for any reason;

(b) Persistent discrimination against women and girls in inheritance law, both as daughters and as widows;

(c) The tendency of sharia court chambers to rule in favour of the husband in divorce, alimony and child custody proceedings;

(d) The absence of legislation offering a civil alternative to the Personal Status Law.

54. **The Committee recommends that the State party review all discriminatory provisions of the Personal Status Law within a specific time frame, in particular to remove, gradually, discriminatory provisions regulating legal capacity, polygamy, divorce, the guardianship system and inheritance, taking into account the experience of other countries with similar cultural backgrounds and legal systems. In particular, the Committee recommends that the State party:**

(a) **Prohibit polygamous marriages and enforce such prohibition in practice, in line with its general recommendation No. 21 (1994) on equality in marriage and family relations and joint general recommendation No. 31 of the Committee/general comment No. 18 of the Committee on the Rights of the Child;**

(b) **Ensure equal rights between men and women with regard to marriage and divorce and end the practice of dowry;**

(c) **Intensify its efforts to enable women and girls to exercise their right to inheritance on an equal basis with their male counterparts and enact legislation to ensure that, upon the dissolution of marriage, women have equal rights to property acquired during marriage;**

(d) **Establish an appeals mechanism to oversee sharia court chamber proceedings and ensure that they do not discriminate against women in their judgments, especially in divorce, alimony and child custody proceedings;**

(e) **Introduce legislation offering a civil alternative to the Personal Status Law, based on the principles of equality and non-discrimination, in order to protect women and alleviate their legal, economic and social marginalization.**

Data collection and analysis

55. The Committee takes note of the information provided by the State party on the current efforts towards the creation of a database on women, but regrets that the data disaggregated by sex remain insufficient to enable proper monitoring of all areas covered by the Convention.

56. **The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, ethnicity, location and socioeconomic status, and the use of measurable indicators to assess trends in the situation of women and progress towards the**

realization by women of substantive equality in all areas covered by the Convention.

Optional Protocol to the Convention and amendment to article 20 (1) of the Convention

57. **The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

Beijing Declaration and Platform for Action

58. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.**

2030 Agenda for Sustainable Development

59. **The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.**

Dissemination

60. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the parliament and the judiciary, to enable their full implementation.**

Ratification of other treaties

61. **The Committee notes that the adherence of the State party to the nine major international human rights instruments**[1] **would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.**

[1] The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

Follow-up to the concluding observations

62. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 10 (a), 16 (a), 24 (a) and 40 (b) above.**

Preparation of the next report

63. **The Committee invites the State party to submit its fourth periodic report, which is due in November 2021. The report should be submitted on time and, in case of delay, should cover the entire period up to the time of its submission.**

64. **The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I).**